IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3008 OF 2007

Rafique Ahmed Alimiya Killedar
and 3 Ors. ..Applicants.

Versus

Farhat Afreen Shahrukh Malvi
and Anr. ..Respondents.

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Ms.Rashmi Gagwani, Adv. h/f. Mr.Ganesh Gole, Adv. for the Applicants.
Mr.Swapnil L. Wagh, Adv. for Respondent No.1.
Mrs.A.S.Pai, APP, for Respondent No.2-State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : DECEMBER 07, 2007.

P.C.:

1. Heard the learned Advocate for the Applicants-orig.accused, the learned Advocate for respondent No.1-orig.complainant, and the learned APP for the State.

2. The applicants-orig.accused are seeking quashing of C.R. No.120 of 2007 registered at Oshiwara Police Station, Mumbai. The said case is under Sections 454, 457, 380, 448, 406, 420, 387 read with 34 of IPC. The dispute relates to a flat.

3. The learned Advocate for the applicants-orig.accused as well as the learned Advocate for respondent No.1-orig.complainant state that the possession of the flat in dispute has been handed over to the respondent and the dispute has been amicably settled between the parties. The learned Advocate for respondent No.1-orig.complainant has stated that in view of this fact, the complainant has no objection to the case being quashed.

4. Looking to the fact that the dispute has been amicably settled between the parties and looking to the fact that the complainant does not wish to pursue her complaint, I am of the opinion that no purpose would be served by continuing with the complaint. Hence, C.R. No. 120 of 2007 registered at Oshiwara Police Station, Mumbai under Sections 454, 457, 380, 448, 406, 420, 387 read with 34 of IPC, and the proceedings relating thereto are quashed.

5. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)